



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: May 16, 2017

Time: 6:30 PM

Location: City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA

1. ROLL CALL

Roll Call showed 9 present.

Mayor Kennedy presiding.

C. Mercier requested moment of silence in darkened chamber for Frederick “Fred” Simon.

M. Kennedy requested Item #5.1(C) be taken out of order with no objections. So voted.

2. CITY CLERK

2.1. Minutes of City Council May 9th; Youth Services SC May 9th, For Acceptance.

In City Council, minutes read, **Motion** “To accept as amended and place on file” by C. Milinazzo, seconded by C. Rourke. So voted.

3. UTILITY PUBLIC HEARING

3.1. National Grid - Request installation of joint owned wood pole and anchor on Gorham Street.

In City Council, Given 2nd Reading. Hearing held. No remonstrants. David Boucher (National Grid) spoke in favor of petition. **Motion** to refer to Wire Inspector for report and recommendation by C. Mercier, seconded by C. Milinazzo. So voted.

3.2. National Grid - Request installation of underground conduit on Thorndike Street.

In City Council, Given 2nd Reading. Hearing held. No remonstrants. David Boucher (National Grid) spoke in favor of petition. **Motion** to refer to Wire Inspector for report and recommendation by C. Mercier, seconded by C. Milinazzo. So voted.



3.3. National Grid/Verizon - Request installation of joint owned wood pole and anchor on Viola Street.

In City Council, Given 2nd Reading. Hearing held. No remonstrants. David Boucher (National Grid) spoke in favor of petition. **Motion** to delay hearing for two weeks by C. Leahy, seconded by C. Leary. So voted. C. Leahy noted the continued problems with double poles in the area and throughout City.

3.4. National Grid/Verizon - Request to install joint owned wood poles and anchors to accommodate Market Street Bridge reconstruction.

In City Council, Given 2nd Reading. Hearing held. No remonstrants. David Boucher (National Grid) spoke in favor of petition. **Motion** to refer to Wire Inspector for report and recommendation by C. Mercier, seconded by C. Milinazzo. So voted.

C. Rourke requested Item #11.3 be taken out of order with no objections. So voted.

4. COMMUNICATIONS FROM CITY MANAGER

5. Motion Responses.

In City Council, read, **Motion** "To accept and place on file" by C. Milinazzo, seconded by C. Mercier. So voted.

(A) Glenellyn Road and Draper Street Clean Up – C. Leahy noted the ongoing effort.

(B) Trash Fines Collected – C. Milinazzo commented on fines. Manager Murphy noted that they are tracking known violators. C. Rourke questioned the cost of an extra barrel. C. Leahy noted the progress being made on program. C. Leary noted price of barrels.

5.1. Informational

(C) FY18 Budget – Manager Murphy presented report entitled "Fiscal Year 2018 Budget" which highlighted major challenges in the budget as well as highlights and initiatives. Manager Murphy outlined revenue sources as well as various appropriations by categories. Manager Murphy noted that there would be a 1.5% increase in the levy and that reserves would be used to balance budget commenting that such reserves would be replenished. The following registered speakers addressed the Council: Salah Khelfooui (School Supt.); Jackie Doherty (School Committee); Connie Martin (School Committee); Amy Bisson; Maryanne Durmont; Paul Georges; and Noelle Creegan. M. Kennedy noted motion by Ms. Martin to have joint subcommittee meeting for further discussion of budget. C. Samaras commented on school budget noting the administration's efforts and that the same efforts could be used to assist on school



budget items, if possible. C. Mercier noted public hearing scheduled on the matter commenting on the process and requesting school administration meet again to see if there could be more done or done differently. Manager Murphy commented on budget approach to schools and the additional money they were slated for. C. Mercier noted her concerns with job cuts. M. Kennedy noted the meeting that will be scheduled with joint subcommittees. C. Elliott noted that each side should provide ample information at that future meeting. C. Leary noted challenges and commented that there must be proactive approach to any solutions. C. Leahy recognized the administration's support of the school budget and requested further look at situation. C. Elliott questioned the proposed budget amount and what gap existed. Manager Murphy noted that there would be probably be less State aid once they finish their budget.

(D) LHS Geoenvironmental, Hazardous Material and Traffic Summaries – Manager Murphy presented summary of findings for following reports: Cawley site; LHS environment; and traffic study. Manager Murphy noted in respect to Cawley that there was an old DEP site that was not closed but would have no effect on the property. Manager Murphy noted that there was urban fill on Martin Field and that there would be a cost to remove same. Concerning LHS site Manager Murphy noted that soil contained arsenic and there was urban fill at other locations that could be remediated and abated. C. Leahy questioned costs estimates. Stephen Vetere (Nobis Engineering) commented on process to come up with estimates and that it is custom to estimate on the higher end. C. Milinazzo noted for sites this old and large he was pleased with results and commented on remediation to be done at LHS. C. Leary noted further look at Cawley site if construction starts at the site. C. Belanger commented on costs and sites. C. Elliott commented on Phase 1 at LHS and the costs associated with remediation. C. Mercier commented on costs and how they are calculated. C. Rourke compared costs between sites. Manager Murphy commented on report regarding hazardous materials at LHS site noting that the building is safe and that remediation is limited and possible and reviewed costs and how they are calculated. C. Leahy commented on site and surrounding areas. C. Samaras commented on prior renovations and asbestos removal. C. Belanger noted prior asbestos removal at the site and that is why the issue is not as large as it could be. Manager Murphy commented on prior work done on the site. Manager Murphy presented the traffic study noting the issues that were presented along with remediation plans to resolve them. C. Milinazzo noted improvements to roadways will require takings and that sidewalks would be a safety issue that would require land takings as well. C. Milinazzo noted the possible installation of traffic lights to ease congestion. Manager Murphy commented on analysis use to determine need. C. Belanger noted that neighborhoods should be informed of new information and questioned the installation of sidewalks. Manager Murphy noted that MSBA only requires sidewalks on the physical site. C. Leary questioned if studies were done further into neighborhoods. C. Milinazzo questioned



parking spaces. C. Samaras recognized that real information was being provided and that it must be conveyed to all interested parties. C. Leahy noted the need to see what is required and what is recommended. M. Kennedy questioned guidelines for installing lights and payment for same. M. Kennedy questioned amount of sidewalks that would be recommended and/or needed. C. Leahy noted that the entrance for the school would be on Village Street. Manager Murphy noted they would further analyze reports and gather information to see what recommendations should be done.

6. VOTES FROM THE CITY MANAGER

6.1. Vote-Auth City Manager Amend License Agreement ATP Restaurant (Cobblestones).

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Milinazzo, seconded by C. Rourke. Adopted per Roll Call vote 9 yeas. So voted.

6.2. Vote-Auth City Manager Ex. Temporary and Permanent Easements re Bridges over canals.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Milinazzo, seconded by C. Rourke. Adopted per Roll Call vote 9 yeas. So voted. C. Milinazzo questioned costs associated with vote. Christine O'Connor (City Solicitor) noted they were small parcels and costs would be limited.

6.3. Vote-Transfer 51K in funds to purchase a police vehicle.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Leahy, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

6.4. Vote-Auth Filing Special Legislation re Charter School Reimbursement.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Leahy, seconded by C. Elliott. Adopted per Roll Call vote 9 yeas. So voted. C. Elliott noted the need to send legislation as City funding of these schools is straining the budget and that City having these schools should not be penalized in that fashion. Conor Baldwin (CFO) commented on money used to cover funding for Charter Schools. C. Elliott noted the formula needs to change. M. Kennedy noted that they should join with other communities facing the same issue and that his office would reach out to those communities.



6.5. Vote-Timely Receipt of Budget FY18.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Milinazzo, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

6.6. Vote-Approving Budget for the City of Lowell for Fiscal Year 2018.

In City Council, Given 1st Reading, **Motion** to refer matter to Public Hearing on May 30, 2017 at 7 PM by C. Mercier, seconded by C. Leary. Approved per Roll Call vote 9 yeas. So voted.

7. ORDERS FROM THE CITY MANAGER

7.1. Order-60 day trial (various).

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Rourke, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

8. ORDINANCES FROM THE CITY MANAGER

8.1. Ordinance Amend s. 272-87 entitled Annual Sewer Use Charge.

In City Council, Given 1st Reading, **Motion** to refer matter to Public Hearing on May 30, 2017 at 7 PM by C. Samaras, seconded by C. Rourke. So voted.

9. REPORTS (SUB/COMMITTEE, IF ANY)

9.1. Finance SC May 16, 2017.

In City Council, C. Elliott reported on the meeting noting attendance and discussion of debt service of the LHS project and the effect it would have on budget and other capital projects. **Motion** to accept the report as a report of progress by C. Elliott, seconded by C. Milinazzo. So voted.

10. PETITIONS

10.1. Misc.-Cua Thi Lam Request City to install a guardrail at or around 3 Powell Street.

In Council, **Motion** to refer to DPW for report and recommendation by C. Rourke, seconded by C. Samaras. So voted.



11. CITY COUNCIL - MOTIONS

11.1. C. Samaras-Request the City Manager have proper department install crosswalk at corner of Fletcher and Bower Streets.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Samaras noted the need for the crosswalk. C. Mercier questioned crosswalk request near Holy Trinity Church.

11.2. C. Samaras - Req. City Mgr. have Superintendent Taylor (LPD) address City Council regarding current problems that have occurred in the City over the past several weeks; in addition have Supt. Taylor inform Council of crime prevention strategies during the summer months.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Samaras noted that there were some incidents that need to be addressed that exist in all cities and also recognized the great efforts of the LPD. C. Samaras noted that Superintendent should continue to keep public informed especially about summer crime prevention strategy. C. Leary spoke to recent incident in City and lauded the effort of LPD. C. Milinazzo noted the administration's effort to keep body informed as well as the good work of the LPD on latest incident. C. Belanger commented on open lines of communication and the efforts of the LPD. C. Leahy noted the efforts put forward for public safety. C. Mercier recognized the communications from administration were tremendous. C. Elliott noted efforts of all those involved.

11.3. C. Rourke/C. Mercier - Req. City Council have discussion on Eminent Domain pertaining to 75 Arcand Drive and have a roll call vote pursuant to an Order of Taking.

In City Council, no second needed, referred to City Manager/Law Department. So voted. C. Rourke commented on motion and requested opinion from City Solicitor. Atty. O'Connor commented on motion noting matter should be referred for further review. Substitute **Motion** to refer item to City Manager/Law Department for review and recommendation by C. Rourke, seconded by C. Mercier. So voted.

11.4. C. Leary/C. Leahy - City Council request the City Manager to provide a list of work that needs to be done in a timely manner at Lowell High School.

In City Council, no second needed, referred to City Manager. So voted. C. Leahy noted the need to identify repairs and organize group effort to address same.



11.5. C. Leary -City Council request the City Manager provide an update regarding sidewalk crossing Chelmsford Street and Inland Street. In addition, provide an update regarding the improvements planned for Inland Street.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Leary noted prior motion and need to update funding plan.

11.6. C. Leary - City Council request the City Manager/Municipal Facilities SC provide an update regarding the feasibility for combining the Public Works and Lowell Public Schools Custodian departments into a Maintenance Department.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Leary noted prior motion and requested matter be referred to Municipal Facilities SC with no objection. So voted. C. Leary noted the need the rethink approach to these matters.

M. Kennedy relinquished Chair to Vice Chair Rourke at 9:05 PM.

11.7. M. Kennedy-Request the City Manager have the proper department add Sparks Street to the re-pavement list.

In City Council, seconded by C. Samaras, referred to City Manager. So voted. M. Kennedy noted the need for attention on the street.

11.8. M. Kennedy - City Council request the City Manager provide the City Council with a report regarding the process for appealing unusually high water and sewer bills.

In City Council, seconded by C. Milinazzo, referred to City Manager. So voted. M. Kennedy commented on the need to know appeal process and need to audit why some bills may not be accurate.

12. ANNOUNCEMENTS

None



13. ADJOURNMENT

In City Council, **Motion** to Adjourn by M. Kennedy, seconded by C. Mercier. So voted.

Meeting adjourned at 9:07 PM.

Michael Geary, City Clerk